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|  |                               |
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| <u>CERTIFICATE OF TRANSMISSION/MAILING</u>   |                               |
| I hereby certify that this correspondence, and attachments, if any, is being facsimile transmitted to the USPTO c/o Missing Parts at fax number (703) 746-4060 or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on <u>March 17, 2004</u> |                               |
| <u>Francene Sawyer</u><br>Francene Sawyer  | <u>March 17, 2004</u><br>Date |

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/748,887  
Applicant : Jürgen Engel and Manfred Peukert  
Filed : July 30, 2002  
Title : USE OF LHRH ANTAGONISTS IN DOSES THAT DO NOT CAUSE CASTRATION FOR THE T-CELL MEDIATED IMMUNITY

TC/A.U. : 1616  
Examiner : TBA

Docket No. : 103832-512-NP

### DECLARATION AND POWER OF ATTORNEY FOR UTILITY AND PLANT PATENT APPLICATION

This Declaration is

Submitted with Initial Filing.  
 Submitted after Initial Filing (surcharge under 37 C.F.R. 1.16(e) required).

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention as entitled above, the specification of which

is attached hereto  
 was filed on July 30, 2002 as United States Application No. 10/748,887 or PCT International Application Number \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. 1.56, including for continuation-in-part applications, material information which became available

between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

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I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? YES | Certified Copy Attached? NO |
|-------------------------------------|---------|----------------------------------|----------------------|------------------------------|-----------------------------|
|                                     |         |                                  | [ ]                  | [ ]                          | [ ]                         |
|                                     |         |                                  | [ ]                  | [ ]                          | [ ]                         |

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I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

| Application Serial Number(s) | Filing Date    |
|------------------------------|----------------|
| 60/309,735                   | August 2, 2001 |
|                              |                |

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I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112. I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C.F.R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application

| Application Serial Number(s) | Filing Date | Status (pending, patented, abandoned) |
|------------------------------|-------------|---------------------------------------|
|                              |             |                                       |
|                              |             |                                       |

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Practitioners at Customer Number 24964; or

Practitioner(s) named below:

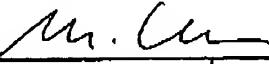
| Name | Registration Number |
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| Attorney Name and Registration No. |  |
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|                                |   |                         |                     |         |
|--------------------------------|---|-------------------------|---------------------|---------|
| Name of Sole or First Inventor | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                         |                     |         |
| Given Name (first and middle): | Jürgen  | Family Name or Surname: | Engel               |         |
| Inventor's Signature           |   |                         | Date: March 8, 2004 |         |
| Residence- City:               | Alezenau  | State:                  | Country:            | Germany |
| Mailing Address:               | Germany   |                         |                     |         |
| City:                          | Alezenau  | State:                  | ZIP:                | 63755   |
|                                |   |                         | Country:            | Germany |

|   |               |   |                                |                            |  |
|---|---------------|---|--------------------------------|----------------------------|--|
| <b>Name of Second Inventor</b>  |               | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                                |                            |  |
| <i>Given Name (first and middle):</i> Manfred   |               | <i>Family Name or Surname:</i> Peukert  |                                |                            |  |
| <i>Inventor's Signature:</i><br> |               |   | <i>Date:</i> February 27, 2004 |                            |  |
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